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White Plains, NY  
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June 30, 2023

**Via Electronic Case Filing**

The Honorable Vincent L. Briccetti  
United States District Court  
Southern District of New York  
United States Courthouse  
300 Quarropas Street, Courtroom 630  
White Plains, New York 10601

Re: *White Plains Aviation Partners, LLC, d/b/a Million Air White Plains v.  
The County of Westchester*, Case No. 21 Civ. 5312 (VB)

Dear Judge Briccetti:

This firm represents plaintiff White Plains Aviation Partners, LLC, d/b/a Million Air White Plains (“Million Air”), in the above-referenced action. We write on behalf of Million Air and defendant the County of Westchester (the “County”), to jointly request an extension of the discovery deadline set forth in the Court’s Fourth Revised Civil Case Discovery Plan and Scheduling Order (Dkt. No. 76) (“Revised Scheduling Order”), from August 1, 2023, until November 1, 2023.

Under the Revised Scheduling Order, all discovery is to be completed by August 1, 2023. On October 4, 2022, the Court granted Million Air’s motion to amend the Complaint in this action. On October 11, 2022, Million Air filed the Amended Complaint, asserting new breach of contract and declaratory judgment claims, and on October 25, 2022, the County filed its Answer and asserted several counterclaims. Million Air answered those counterclaims on November 15, 2022. The parties thereafter served amended Rule 26(a)(1) disclosures, document requests and interrogatories, and responses and amended responses thereto, and commenced document production relating to the new claims and counterclaims.

Following the County’s final production of documents this week, the parties are pleased to report that they have now substantially completed document discovery, which involved the collection, review, and production of tens of thousands of documents, and also have resolved all issues to date concerning this document production. The parties are in the process of reviewing each other’s respective productions, and determining witnesses and scheduling depositions, which likely will involve at least fifteen deponents. Given the ongoing review of the voluminous discovery in this matter, the anticipated number of depositions, and summer vacation schedules of witnesses and counsel, the parties require additional time to complete discovery. Accordingly, the parties jointly request that the Court extend the remaining deadlines for fact and expert discovery set forth in the Revised Scheduling Order, such that all discovery in the case would be completed by November 1, 2023. Per the Court’s Individual Practices, a proposed Revised Civil Case Discovery Plan and Scheduling Order is attached.

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This is the parties' fifth request for an extension of the discovery deadline in this matter. By Orders dated July 26, 2022, September 14, 2022, November 14, 2022, and March 13, 2023, respectively, the Court granted previous requests for extensions of that deadline.

The parties thank the Court for its consideration of their request.

Respectfully submitted,

YANKWITT LLP

*Counsel for Million Air*

By: /s/ Ross E. Morrison

Russell M. Yankwitt

Ross E. Morrison

Jonathan Ohring

(via ECF)

cc: All counsel of record